

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS'
CONCUSSION INJURY
LITIGATION

No. 2:12-md-02323-AB
MDL No. 2323

THIS DOCUMENT RELATES TO
ALL ACTIONS

Hon. Anita J. Brody

PETITION FOR APPOINTMENT OF REPRESENTATIVE CLAIMANT

I, MARY LEE KOCOUREK, respectfully move this Court for appointment as the Representative Claimant authorized to act on behalf of DAVID A. KOCOUREK, a deceased, Retired NFL Football Player, in connection with the NFL Concussion Settlement as follows:

1. I seek appointment as the Representative Claimant to act on behalf of the Retired NFL Football Player and his estate, heirs, and beneficiaries but have not been appointed to act in that capacity by a court or other official of competent jurisdiction and do not have such other proof of representative capacity that the Claims Administrator has been authorized by the Court or the Parties to accept.

2. To establish my authority to act as the Representative Claimant, I submit and incorporate in this Petition the Representative Claimant Declaration and supporting documents attached as Exhibit A.

3. I have confirmed with the Claims Administrator that it has not received documents or information indicating that any other individual or entity is appointed or is seeking appointment as the Representative Claimant on behalf of the Retired NFL Football Player.

4. Accordingly, I respectfully request that the Court enter an order approving this Petition.
5. A proposed order accompanies this Petition.

Respectfully submitted,

MARY LEE KOCOUREK

By: s/ Jason E. Luckasevic
Jason E. Luckasevic, Esquire
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Date: July 31, 2017

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ORDER APPOINTING REPRESENTATIVE CLAIMANT

Before the Court is the Petition of MARY LEE KOCOUREK for appointment as the Representative Claimant authorized to act on behalf of DAVID A. KOCOUREK, a deceased Retired NFL Football Player, in connection with the NFL Concussion Settlement. The Court hereby GRANTS the Petition, and ORDERS as follows:

1. **Mary Lee Kocourek** is appointed as the Representative Claimant on behalf of **David A. Kocourek, Deceased** and his estate, heirs, and beneficiaries in connection with the NFL Concussion Settlement program (the "Program").

2. The Representative Claimant is authorized to act on behalf of the Retired NFL Football Player, including the submission of materials to register for the Program, the decision to participate in the Baseline Assessment Program (where applicable), the filing of any Claim Packages for Monetary Awards, and the receipt of payment for any Monetary Awards.

3. The Claims Administrator, BAP Administrator and Lien Resolution Administrator shall accept this Order as proof of the Representative Claimant's appointment.

4. Any final Monetary Award or Supplemental Monetary Award amount the Claims Administrator shall determine and award to or on behalf of the Retired NFL Football Player in accordance with the Settlement Agreement is approved as fair, reasonable and adequate.

5. The Claims Administrator shall pay the Monetary Award or Supplemental Monetary Award amount to the Representative Claimant.

6. The Representative Claimant shall abide by all substantive laws of the applicable Retired NFL Football Player's state of domicile or any other applicable state law concerning the compromise and distribution of any Monetary Award or Supplemental Monetary Award.

7. The Representative Claimant shall indemnify and hold harmless the Released Parties, as defined in Section 2.1(bbbb) of the Settlement Agreement, and their attorneys and insurers, Class Counsel, Co-Lead Class Counsel, the Claims Administrator, the BAP Administrator, the Lien Resolution Administrator, the Special Masters, and the agents and representatives of any of the foregoing, from any and all claims, demands, or expenses of any kind arising out of or relating to his or her action in connection with the Program, including, without limitation, as set forth in Section 11.4 of the Settlement Agreement.

8. The Representative Claimant shall immediately notify the Claims Administrator if his or her authority is curtailed, surrendered, withdrawn, or terminated.

SIGNED AND ENTERED this ____ day of _____, _____.

Honorable Anita B. Brody
United States District Judge